



March 29, 2011

**VIA ECF**

The Honorable Kiyo Matsumoto  
United States District Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Lodge v. United Homes, LLC, et. al.*  
*Case No. CV-05-0187 (KAM)(RLM)*

Dear Judge Matsumoto:

This firm represents the defendants Bayview Loan Servicing, LLC, Bayview Asset Management, LLC and US Bank and Trust (collectively, the "Defendants") in the referenced action. We write in response to the Court's March 28, 2011 directive that the parties inform the Court whether rescheduling the trial of the action along with the five (5) other related consolidated actions to commence after jury selection on April 25, 2011 would present a conflict.

The Defendants respectfully request that the dates as originally scheduled by the Court remain the operative dates. I, along with my colleague who is responsible for this action, am currently changing firms and will be joining Rosenberg & Estis, PC on April 5, 2011 and April 11, 2011, respectively. It is due to the time required for the transition of firms and the files that it is respectfully requested the trial of this action remain as scheduled, *ie.*, the week of May 2, 2011.

We are available for a conference to discuss this matter should Your Honor require.

Very truly yours,

*/s/ Timothy J. Fierst*

Timothy J. Fierst

TJF:me